

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joe Britt Attorney Docket No.: 81414.28  
Application No.: 09/851,402 Group Art Unit: 2174  
Filed: May 8, 2001 Confirmation Number: 1907  
Customer No.: 22971 Examiner: Steven P. Sax  
Title: Downloading Software From A Server To A Client

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**STATEMENT FILED PURSUANT TO**  
**THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the  
Applicant requests consideration of this Information Disclosure Statement.

## PART I: Compliance with 37 C.F.R. § 1.97

This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311 and is being filed on or before payment of an Issue Fee.

The Applicant hereby states, as specified in 37 C.F.R. § 1.97(e), that: each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

The Information Disclosure Statement processing fee of \$180 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

Microsoft Corporation  
MS Docket No.: 81414.28

**PART II: Remarks**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO/SB/08A. The order of presentation of the references should not be construed as an indication of the importance of the references. Documents cited on the attached form PTO/SB/08A is enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO/SB/08A be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Applicant urges the Examiner to form his own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

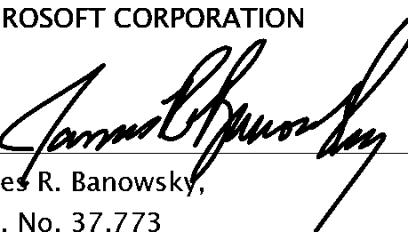
Microsoft Corporation  
MS Docket No.: 81414.28

If any fees are required the Commissioner is hereby authorized to charge the required fees, or credit any overpayments, to Deposit Account No. 50-0463.

Respectfully submitted,

MICROSOFT CORPORATION

Date: January 3, 2007

By: 

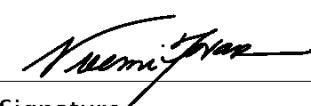
James R. Banowsky,  
Reg. No. 37,773  
Microsoft Corporation  
Redmond, Washington  
Telephone (425) 705-3539

CERTIFICATE OF MAILING OR TRANSMISSION  
(Under 37 CFR § 1.8(a)) or ELECTRONIC FILING

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

January 3, 2007

Date

  
Signature

Noemi Tovar

Printed Name

Microsoft Corporation  
MS Docket No.: 81414.28